

Chapter 6 ANIMALS*

***Charter references:** Authority to regulate and prohibit poultry pens and houses, to regulate removal of dead animals, § 533; authority to regulate driving or leading animals through streets, § 535; authority to regulate dogs and other animals, § 537.

Cross references: Health, Ch. 12; protection of wildlife, § 17-40; allowing dogs or pets to run at large within public parks prohibited, § 17-47.

State law references: Authority to regulate running at large of animals and to prohibit cruelty to animals, G.S. § 7-148(c)(7)(D)(i); authority to regulate and prohibit keeping of animals, G.S. 7-148(c)(7)(D)(ii).

Art. I. In General, §§ 6-1--6-15

Art. II. Dogs, §§ 6-16--6-35

Art. III. Pigeons, § 6-36

ARTICLE I. IN GENERAL

Sec. 6-1. Director of health to have duty of enforcement.

The director of health shall take such measures as are necessary and proper for the enforcement of the provisions of this chapter.

(Code 1970, § 6-1)

Sec. 6-2. Keeping animals in a manner detrimental to human health.

No person shall keep any animal in any place or in any manner which is detrimental to human health or which will create a nuisance.

(Code 1970, § 6-2)

Sec. 6-3. Keeping of swine.

No person shall keep swine or make or maintain any pigpen.

(Code 1970, § 6-4)

Secs. 6-4--6-15. Reserved.

ARTICLE II. DOGS*

***State law references:** Dogs generally, G.S. § 22-327 et seq.; maintenance of dog pounds, G.S. § 22-336.

Sec. 6-16. Definitions.

As used in this article:

At large shall mean off the premises of the owner or custodian, and not under the immediate control of the owner or custodian, either by leash, cord, chain or otherwise.

Dog shall mean any member of the canine species, male or female.

Keep shall mean possessing, controlling, exercising or allowing to run at large.

Owner shall mean any person possessing, keeping, harboring or having custody of a dog.

(Code 1970, § 6-9)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 6-17. License tag and registration required; exclusion of certain dogs from provisions.

- (a) *Tags required.* Each dog kept by his owner in the city shall be licensed and registered if over three (3) months of age. Dog licenses shall be issued by the town clerk upon payment of a license tax to be determined by the common council. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him.
- (b) *Exceptions.* The provisions of this section shall not apply to dogs whose owners are nonresidents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to seeing-eye dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

(Code 1970, § 6-10)

Cross references: Licenses, permits, and miscellaneous business regulations, Ch. 14.

Sec. 6-18. Running or roaming at large prohibited.

- (a) No person owning or keeping a dog, shall allow such dog to be in or upon any street, park or other public place, or in or upon any unenclosed lot or other private premises, unless such dog is attached to a secure leash held continuously in the hands of a responsible person capable of controlling it, or is securely leashed upon such unenclosed lot or premises in such manner that the rope or other attachment by which it is held or tethered does not permit it to be or go beyond the boundaries of such lot or premises or unless such dog is securely confined within a motor vehicle which is adequately ventilated. This section shall not apply to any dog while performing or being exhibited in a bench show or other exhibition or any dog park or use approved by the parks and recreation commission and the common council.
- (b) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-86; Ord. of 5-88, § 1; No. 27484-1, 5-14-03)

Sec. 6-19. Removal of feces.

- (a) It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, street, sidewalk, gutter or other public area unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.
- (b) The provisions of this section shall not apply to any person walking or in control of a dog who is blind and accompanied by a guide dog or by any person who is physically unable to remove said feces.
- (c) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.
- (d) For the purposes of enforcing the provisions of this section tickets may be issued by any persons authorized to issue tickets for parking violations pursuant to section 15-75 of this Code.

(Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-88, § 2)

Sec. 6-20. Impoundment.

- (a) The health department shall capture any dog found running at large contrary to the provisions of this chapter and shall impound such dog in the municipal dog pound or other suitable place.
- (b) The dog warden shall register the capture of each dog upon his records. This register shall include information concerning the breed, color, and sex of each dog, and whether or not it is licensed. If such dog is licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.

(Code 1970, § 6-12)

Sec. 6-21. Pound open to public on Saturdays.

Each day, except Sunday, between the hours of 8:00 a.m. and 11:00 a.m., the municipal dog pound shall be open to the public for inspection of animals confined therein. The dog warden shall not destroy any dog in his custody until such dog has been displayed at least once to the public.

(Code 1970, § 6-13)

Secs. 6-22--6-35. Reserved.

ARTICLE III. PIGEONS

Sec. 6-36. Control; trapping permits; disposition.

- (a) The health department is authorized to approve permits for the purpose of trapping pigeons as a control and public health measure.
- (b) The board of health shall issue permits for the trapping of pigeons, in accordance with the regulations established by the board of health.
- (c) Trapped pigeons may be used for food, if fit for this purpose. Diseased or injured pigeons shall be delivered to the date humane society for disposition in the manner provided for by law. wherever any Antwerp or homing pigeon wearing a ring or numbered band is found among trapped pigeons, these pigeons may be either immediately released or placed in the care of the state humane society.

(Code 1970, § 6-14)

- (d) The fee for a permit for trapping of pigeons shall be twenty-five dollars (\$25.00) per year.

(Code 1970, § 6-14; Ord. of 4-90, § 1)

Cross references: Licenses, permits and miscellaneous business regulations, Ch. 14.

Chapter 7 BUILDINGS AND BUILDING REGULATIONS*

***Cross references:** Zoning committee, § 2-96 et seq.; board of public works, § 2-166 et seq.; school building committee, § 2-306 et seq.; city building inspector to inspect city-owned buildings annually, § 2-334; fire prevention and protection Ch 8; flood and erosion control, Ch. 9; garbage, trash and refuse, Ch. 11; housing, Ch. 13; planning, Ch. 19; inland wetlands and watercourses, § 19-35; streets, sidewalks and public places, Ch. 21; storing building materials on streets restricted, § 21-16; utilities, Ch. 23.

State law references: State building code applicable to all municipalities, G.S. § 29-253.

Art. I. In General, §§ 7-1--7-25

Art. II. Moving Buildings, §§ 7-26--7-39

Art. III. Antiblright Program, §§ 7-40--7-49

Art. IV. Exterior Aboveground Residential Fuel Oil Tanks, §§ 7-50--7-59

Art. V. Antigraffiti Procedures, §§ 7-60--7-62

ARTICLE I. IN GENERAL

Sec. 7-1. Building permit fees and other regulations--Generally.

- (a) No permit to begin work for new construction alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this chapter shall have been paid to the building official (or other authorized municipal agency), nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.